

80TH CONGRESS
2D SESSION

H. R. 5871

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1948

Mr. ANDREWS of New York introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

DEFINITIONS

4 SECTION 1. That when used in this Act, the term—

5 (a) "Agency" means the Central Intelligence Agency;

6 (b) "Director" means the Director of Central Intelli-
7 gence;

8 (c) "Government agency" means any executive depart-
9 ment, commission, council, independent establishment,
10 corporation wholly or partly owned by the United States

1 which is an instrumentality of the United States, board,
2 bureau, division, service, office, officer, authority, administra-
3 tion, or other establishment, in the executive branch of the
4 Government; and

5 (d) "Continental United States" means the States and
6 the District of Columbia.

7 SEAL OF OFFICE

8 SEC. 2. The Director of Central Intelligence shall cause
9 a seal of office to be made for the Central Intelligence Agency,
10 of such design as the President shall approve, and judicial
11 notice shall be taken thereof.

12 PROCUREMENT AUTHORITIES

13 SEC. 3. (a) In the performance of its functions the
14 Central Intelligence Agency is authorized to exercise the
15 authorities contained in sections 2 (c) (1), (2), (3), (4),
16 (5), (6), (10), (12), (15), (17), and sections 3, 4, 5,
17 6, and 10 of the Armed Services Procurement Act of 1947
18 (Public Law 413, Eightieth Congress, second session).

19 (b) In the exercise of the authorities granted in sub-
20 section (a) of this section, the term "Agency head" shall
21 mean the Director, the Deputy Director, or the Executive
22 Director of the Agency.

23 (c) The determinations and decisions provided in sub-
24 section (a) of this section to be made by the Agency head
25 may be made with respect to individual purchases and con-

1 tracts or with respect to classes of purchases or contracts,
2 and shall be final. Except as provided in subsection (d)
3 of this section, the Agency head is authorized to delegate his
4 powers provided in this section, including the making of such
5 determinations and decisions, in his discretion and subject
6 to his direction, to any other officer or officers or officials of
7 the Agency.

8 (d) The power of the Agency head to make the de-
9 terminations or decisions specified in paragraphs (12) and
10 (15) of section 2 (c) and section 5 (a) of the Armed
11 Services Procurement Act of 1947 shall not be delegable.
12 Each determination or decision required by paragraphs (12)
13 and (15) of section 2 (c), by section 4 or by section 5 (a)
14 of the Armed Services Procurement Act of 1947, shall be
15 based upon written findings made by the official making
16 such determinations, which findings shall be final and shall
17 be available within the Agency for a period of at least six
18 years following the date of the determination.

19 EDUCATION AND TRAINING

20 SEC. 4. (a) Any officer or employee of the Agency
21 may be assigned or detailed for special instruction, research,
22 or training, at or with domestic or foreign public or private
23 institutions; trade, labor, agricultural, or scientific associa-
24 tions; courses or training programs under the National Mili-
25 tary Establishment; or commercial firms.

1 (b) The Agency shall, under such regulations as the
2 Director may prescribe, pay the tuition and other expenses of
3 officials and employees of the Agency assigned or detailed
4 in accordance with provisions of subsection (a) of this
5 section, in addition to the pay and allowances to which
6 such officials and employees may be otherwise entitled.

7 TRAVEL, ALLOWANCES, AND RELATED EXPENSES

8 SEC. 5. (A) Under such regulations as the Director
9 may prescribe, the Agency, with respect to its employees
10 assigned to permanent-duty stations outside the continental
11 United States, its territories and possessions, shall—

12 (1) (a) Pay the travel expenses of officers and
13 employees of the Agency, including expenses incurred
14 while traveling pursuant to orders issued by the Di-
15 rector in accordance with the provisions of section
16 5 (A) (2) with regard to the granting of home leave;

17 (b) Pay the travel expenses of the members of
18 the family of an officer or employee of the Agency when
19 proceeding to or returning from his post of duty; accom-
20 panying him on authorized home leave; or otherwise
21 traveling in accordance with authority granted pursuant
22 to the terms of this or any other Act;

23 (c) Pay the cost of transporting the furniture and
24 household and personal effects of an officer or employee
25 of the Agency to his successive posts of duty and, on the

1 termination of his services, to the place where he will
2 reside;

3 (d) Pay the cost of storing the furniture and household
4 and personal effects of an officer or employee of the Agency
5 who is absent under orders from his usual post of duty, or
6 who is assigned to a post to which, because of emergency
7 conditions, he cannot take or at which he is unable to use
8 his furniture and household and personal effects;

9 (e) Pay the cost of storing the furniture and household
10 and personal effects of an officer or employee of the Agency
11 on first arrival at a post for a period not in excess of three
12 months after such first arrival at such post or until the
13 establishment of residence quarters, whichever shall be
14 shorter;

15 (f) Pay the travel expenses and transportation costs
16 incident to the removal of the members of the family of an
17 officer or employee of the Agency and his furniture and
18 household and personal effects, including automobiles, from
19 a post at which, because of the prevalence of disturbed con-
20 ditions, there is imminent danger to life and property, and
21 the return of such persons, furniture, and effects to such
22 post upon the cessation of such conditions; or to such other
23 post as may in the meantime have become the post to which
24 such officer or employee has been assigned.

25 (2) Order to the continental United States on statutory

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1 leave of absence every officer and employee of the Agency
2 who is a citizen of the United States upon completion of
3 two years' continuous service abroad or as soon as possible
4 thereafter.

5 (a) While in the continental United States on leave,
6 the service of any officer or employee shall be available for
7 work or duties in the Agency or elsewhere, but the time of
8 such work or duties shall not be counted as leave.

9 (b) Where an officer or employee on leave returns
10 to the continental United States, leave of absence granted
11 shall be exclusive of the time actually and necessarily
12 occupied in going to and from the continental United States,
13 and such time as may be necessarily occupied in awaiting
14 sailing or flight.

15 (3) Notwithstanding the provisions of any other law,
16 transport for or on behalf of an officer or employee of the
17 Agency, a privately owned automobile in any case where
18 he shall determine that water, rail, or air transportation
19 of the automobile is necessary or expedient for any part
20 or of all the distance between points of origin and
21 destination.

22 (4) (a) In the event of illness or injury requiring
23 the hospitalization of an officer or employee of the Agency
24 who is a citizen of the United States, not the result of
25 vicious habits, intemperance, or misconduct on his part,

1 incurred while on assignment abroad, in a locality where
2 there does not exist a suitable hospital or clinic, pay the
3 travel expenses of such officer or employee by whatever
4 means he shall deem appropriate and without regard to
5 the Standardized Government Travel Regulations and section
6 10 of the Act of March 3, 1933 (47 Stat. 1516; 5 U. S. C.
7 73b), to the nearest locality where a suitable hospital or
8 clinic exists and on his recovery pay for the travel expenses
9 of his return to his post of duty. If the officer or employee
10 is too ill to travel unattended, the Director may also pay
11 the travel expenses of an attendant;

12 (b) Establish a first-aid station and provide for the
13 services of a nurse at a post at which, in his opinion, suffi-
14 cient personnel is employed to warrant such a station;

15 (c) In the event of illness or injury requiring hospitali-
16 zation of an officer or employee of the Agency who is a
17 citizen of the United States, not the result of vicious habits,
18 intemperance, or misconduct on his part, incurred in the
19 line of duty while such person is assigned abroad, pay for
20 the cost of the treatment of such illness or injury at a suit-
21 able hospital or clinic.

22 (d) Provide for the periodic physical examination of
23 officers and employees of the Agency and for the cost of
24 administering inoculations or vaccinations to such officers or
25 employees.

1 (B) In accordance with such regulations as the Presi-
2 dent may prescribe and notwithstanding the provisions of
3 section 1765 of the Revised Statutes (5 U. S. C. 70), the
4 Director is authorized to grant to any officer or employee of
5 the Agency who is a citizen of the United States allowances
6 in accordance with the provisions of sections 901 (1) and
7 901 (2) of the Foreign Service Act of 1946.

8 GENERAL AUTHORITIES

9 SEC. 6. In the performance of its functions, the Central
10 Intelligence Agency is authorized to—

11 (a) transfer to and receive from other Government
12 agencies such sums as may be approved by the Bureau
13 of the Budget, for the performance of any of the func-
14 tions or activities authorized under sections 102 and 303
15 of the National Security Act of 1947 (Public Law 253,
16 Eightieth Congress), and any other Government agency
17 is authorized to transfer to or receive from the Agency
18 such sums without regard to any provisions of law limit-
19 ing or prohibiting transfers between appropriations.
20 Sums transferred to the Agency in accordance with this
21 paragraph may be expended for the purposes and under
22 the authority of this Act without regard to limitations
23 of appropriations from which transferred;

24 (b) exchange funds without regard to section 3651-
25 Revised Statutes (31 U. S. C. 543);

1 (c) reimburse other Government agencies for serv-
2 ices of personnel assigned to the Agency, and such other
3 Government agencies are hereby authorized, without
4 regard to provisions of law to the contrary, so to assign
5 or detail any officer or employee for duty with the
6 Agency;

7 (d) authorize couriers designated by the Director
8 to carry firearms when engaged in transportation of con-
9 fidential documents and materials affecting the national
10 defense and security;

11 (e) make alterations, improvements, and repairs on
12 premises rented by the Agency and pay rent therefor
13 without regard to limitations on expenditures contained
14 in the Act of June 30, 1932, as amended: *Provided,*
15 That in each case the Director shall certify that exception
16 from such limitations is necessary to the successful per-
17 formance of the Agency's functions or to the security of
18 its activities;

19 (f) in the interests of the security of the foreign
20 intelligence activities of the United States and in order
21 further to implement the proviso of section 102 (d) (3)
22 of the National Security Act of 1947 (Public Law 253,
23 Eightieth Congress, first session) that the Director of
24 Central Intelligence shall be responsible for protecting
25 intelligence sources and methods from unauthorized dis-

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1 closure, the Agency shall be exempted from the provi-
 2 sions of sections 1 and 2, chapter 795, of the Act of
 3 August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. A.
 4 654), and the provisions of any other law which require
 5 the publication or disclosure of the organization, func-
 6 tions, names, official titles, salaries, or numbers of per-
 7 sonnel employed by the Agency: *Provided*, That in
 8 furtherance of this section, the Director of the Bureau
 9 of the Budget shall make no reports to the Congress in
 10 connection with the Agency under section 607, title VI,
 11 chapter 212, of the Act of 30 June 1945, as amended
 12 (5 U.S. C. A. 947 (b)).

13 APPROPRIATIONS

14 SEC. 7. (a) Notwithstanding any other provisions of
 15 law, sums made available to the Agency by appropriation
 16 or otherwise may be expended for purposes necessary to
 17 carry out its functions, including—

18 (1) personal services, (including employment of
 19 aliens,) and rent at the seat of government and else-
 20 where; preparation and transportation of the remains of
 21 officers and employees who die abroad or in transit,
 22 while in performance of their official duties, to their
 23 former homes in this country or to a place not more
 24 distant for interment, and for ordinary expenses of
 25 such interment; penalty mail; health-service program

*rephrased in
 final act*

1 as authorized by law (5 U. S. C. 150) ; rental of news-
2 reporting services; purchase or rental and operation of
3 photographic, reproduction, cryptographic, duplication
4 and printing machines, equipment and devices, and
5 radio-receiving and radio-sending equipment and de-
6 vices, including telegraph and teletype equipment;
7 purchase, maintenance, operation, repair and hire of
8 passenger motor vehicles and aircraft, and vessels of
9 all kinds; printing and binding; purchase, maintenance,
10 and cleaning of firearms; subject to policies established
11 by the Director, expenses of travel in connection with,
12 and expenses incident to attendance at meetings of
13 professional, technical, scientific, and other similar or-
14 ganizations when such attendance would be of benefit
15 in the conduct of the work of the Agency; association
16 and library dues; payment of claims pursuant to section
17 403 of the Federal Tort Claims Act of 1946 (60 Stat.
18 843; 28 U. S. C. 921) ; repair, rental, operation, and
19 maintenance of buildings, utilities, facilities, and ap-
20 purtenances.

21 (b) Of the sums made available to the Agency, such
22 amounts as may be approved by the Bureau of the Budget
23 may be expended—

24 (1) without regard to the provisions of law and

1 regulations relating to the expenditure of Government
2 funds; and

3 (2) for objects of a confidential, extraordinary or
4 emergency nature, such expenditures to be accounted
5 for solely on the certificate of the Director and every
6 such certificate shall be deemed a sufficient voucher
7 for the amount therein certified.

8 SEPARABILITY OF PROVISIONS

9 SEC. 8. If any provision of this Act, or the application
10 of such provision to any person or circumstances, is held
11 invalid, the remainder of this Act or the application of such
12 provision to persons or circumstances other than those as
13 to which it is held invalid, shall not be affected thereby.

14 SHORT TITLE

15 SEC. 9. This Act may be cited as the "Central In-
16 telligence Agency Act of 1948".